

SUPERIOR COURT OF ARIZONA
MARICOPA COUNTY

FC 2012-090292

06/04/2012

HONORABLE DAVID M. TALAMANTE

CLERK OF THE COURT

M. Kay

Deputy

IN RE THE MARRIAGE OF
KIMBERLEE MAE BARNES

ANGELA M WILSON-GOODMAN

AND

JASON ROBERT BARNES

HAROLD D BURR JR.

FAMILY COURT SERVICES-CCC

MINUTE ENTRY

Courtroom 403 – SEA

9:08 a.m. This is the time set for Telephonic Status Conference with counsel only re: child support. Petitioner is present telephonically and is represented telephonically by above named counsel. Respondent is not present but is represented telephonically by above named counsel.

A record of the proceeding is made by audio and/or videotape in lieu of a court reporter.

Discussion is held regarding child support and spousal maintenance.

IT IS ORDERED taking the issues of child support and Petitioner's request for spousal maintenance under advisement.

IT IS ORDERED affirming the Trial set for September 17, 2012 at 9:00 a.m.

9:34 a.m. Conference concludes.

FILED: Child Support Worksheet.

LATER:

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The Court has considered the entire docket along with the avowals of counsel and argument.

For purposes of spousal maintenance,

THE COURT FINDS that this is a marriage of moderate to long duration. Petitioner/Mother is not of an age that precludes the possibility of her gaining employment adequate to be self-sufficient. There is no information that she contributed to the educational opportunities of the Respondent. Both parties have some assets available to them to assist in meeting their reasonable needs, although Mother will be required to deplete separate property assets in order to provide for her reasonable needs and those of the children and Father is not contributing any amount to help support the children or deal with any residual expenses of the community, if any exist.

THE COURT FINDS that Mother is in need of a reasonable transition period to become employed to meet her reasonable needs and that she is the primary custodian of two minor children that will make employment difficult unless she procures a daycare provider. Mother will also need a reasonable transition period to find employment and to re-establish her teaching certificates if she chooses to return to that area of work.

THE COURT FINDS that Petitioner is entitled to spousal maintenance and that she is entitled to spousal maintenance retroactive to the separation of the parties. The spousal maintenance obligation will be effective February 1, 2012. However, because Petitioner does have some assets available to her, the Court will not order a spousal maintenance obligation for purposes of temporary orders. Respondent's spousal maintenance obligation to Petitioner will abide Trial. The amount and duration of the spousal maintenance, which is to be effective February 1, 2012, will abide final orders after the dissolution trial.

On the support issue, for reasons argued by counsel at the hearing,

THE COURT FINDS that it is not appropriate to impute income to Mother at this time. Mother will be attributed zero income. The Court finds that Father is capable of earning at least \$4,166.00 per month. Because Mother will be available to care for the children during the summer months and because no income is being attributed to her, there will be no daycare or pre-school costs. Neither parent is providing medical insurance for the children, so there will be no adjustment for medical insurance premiums. Mother is the primary custodian of the two minor children per the Court's order of May 14, 2012. Father is given a parenting time adjustment of 58 – 72 days. For purposes of temporary orders, Father's support obligation is effective February 1, 2012.

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IT IS ORDERED that Father shall pay Mother child support in the amount of \$1,016.57 per month together with the handling fee of \$5.00 per month by Income Withholding Order through the Support Payment Clearinghouse. Father is advised that until such time as the Income Withholding Order becomes effective, and during any time when no Income Withholding Order is in place, Father has an affirmative obligation to pay the child support directly to the Support Payment Clearinghouse. Father shall immediately notify the Court of any change in his employment by filing a Current Employer Information sheet.

LET THE RECORD REFLECT that an Income Withholding Order is initiated electronically by the above-named Deputy Clerk (confirmation #373605).

With respect to uncovered unreimbursed medical, dental and vision expenses,

IT IS ORDERED that the parties shall pay all uncovered unreimbursed medical, dental and vision expenses for the minor children in proportion to their respective share of income. Father shall be responsible for 100% and Mother shall be responsible for 0% of the expenses. Both parents are directed to expend good faith efforts to obtain medical insurance for the children.

IT IS FURTHER ORDERED that within 30 days of incurring a medical, dental, vision or extraordinary expense on behalf of the minor child, the incurring parent shall provide a copy of the bill to the other parent. The receiving parent shall have 30 days from receipt of the bill to pay his or her portion of the bill.

IT IS ORDERED that the requirements of Rule 81 are waived and this minute entry is signed as the formal written Order of this Court.

June 4, 2012
Date

/ s / HONORABLE DAVID M. TALAMANTE

JUDICIAL OFFICER OF THE SUPERIOR COURT